

Introducing *Transnational Legal Theory*

Welcome to the inaugural issue of *Transnational Legal Theory* (*TLT*), a peer-reviewed journal published by Hart Publishing. As Convening Editor charged with initiating and overall editing of *TLT*, I am both delighted and humbled by the response to *TLT* in its formative stages. In particular, a second-to-none group of scholars from around the world, spanning a number of sub-disciplines and a range of theoretical approaches within the legal academy, has enthusiastically signed on as *TLT*'s editorial team. Almost to the person, each expressed the view that just this sort of journal is needed at this juncture in the evolution of legal scholarship worldwide.

TLT will publish high-quality theoretical scholarship that addresses transnational dimensions of law and legal dimensions of transnational fields and activity. We seek to be a journal of first recourse for scholars seeking to push the boundaries of contemporary legal theory in ways that take seriously how transnational contexts, forces and ideations affect debates within existing traditions, schools of legal thought, or subject-matter fields of law. Similarly, *TLT* aspires to challenge scholars debating general theories about law, as well as those working in the particular jurisprudence of a variety of fields (criminal law, family law, tort law, the law of evidence, and so on), to integrate the relevance of transnational contexts and dimensions into their work.

Transnational Legal Theory's mandate includes theoretical work that explores fresh (or revived) understandings of both international law and comparative law 'beyond the state' (and the interstate). In particular, we seek works that explore the interfaces, intersections and mutual embeddedness of public international law, private international law and comparative law, in terms of whether and how such inter-relationships are reshaping and blending these sub-disciplines in directions that are in important respects 'transnational' in nature.

The journal is also much interested in pushing into new terrain the study of the interaction of legal systems or legal orders in such contexts as the following examples: constitutional law theory on the reception of various forms of external law by states' legal orders; jurisdictional theory on the external projection of states' legal order; public law theory on the evolution of regional legal orders such as that of the EU; theorisation of law as 'global' in contradistinction to law as either international or transnational; and process-oriented approaches to policy formation, decision-making, and operationalisation of law, from transjurisdictional litigation to delocalised arbitration to multi-level governance.

Importantly, it should be emphasised here that the journal's mandate is ecumenical in an important sense, namely in that the work of the journal is not governed by any

specific definition of ‘transnational’. Most particularly, ‘transnational legal theory’ need not be understood as synonymous with theories of or about something to be called ‘transnational law’. Indeed, contributors are in no sense expected to accept the existence and/or desirability of a form or forms of law best styled ‘transnational law’ and are further welcome to critique such conceptions.

There is another sense in which the journal is pluralistically minded. The ‘legal theory’ of *Transnational Legal Theory* is understood broadly to encompass a variety of inter- and sub-disciplinary theoretical approaches to law or to law-like normativity, including, to name only some, philosophy of law, legal sociology, legal history, law and economics, international relations theory, and political and moral theory. It further includes the best of what one might call doctrinal-theoretical explorations of subject-matter fields commonly understood by field insiders as transnational in some meaningful sense (fields such as commercial arbitration law, maritime law or law of the internet)—on condition that readers be able to distill important general lessons from the article on the shape of law outside the confines of purely state-law or interstate-law assumptions.

Such it is that, as Convening Editor, I approach ‘transnational legal theory’ as *une salle polyvalente* (a wonderful term I first came across 15 years ago as signage on community centres throughout southern France). To push the metaphor somewhat inelegantly, *Transnational Legal Theory* is an edifice still at the planning stages and, in the spirit of the networked epistemologies of the contemporary world, I invite everyone to join in as co-architect.

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